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Remarks

In the Office Action mailed on May 4, 2006, the Examiner objected to certain informalities in the specification; rejected claims 14-22 and 27-29 under 35 U.S.C. § 112, second paragraph, as being indefinite; rejected claims 1-21 and claims 27-34 under 35 U.S.C. 102(b) as being anticipated by Kirchoff et al., U.S. Patent No. 3,972,545; rejected claims 1-6 and claims 23-29 under 35 U.S.C. 102(b) as being anticipated by Adams et al., U.S. Patent No. 4,437,681; rejected claims 1-12, 14-16, 19-21, and 27-34 under 35 U.S.C. 102(b) as being anticipated by Ruckdeschel et al., U.S. Patent No. 6,196,583; and rejected claims 14 and 22 under 35 U.S.C. 103(a) as being unpatentable over Takeuchi, U.S. Patent No. 6,145,873, in view of Ruckdeschel et al. '583.

Regarding the Examiner's objections to informalities in the specification, the specification has been amended to delete any use of reference numeral 38 in conjunction with the "internally projection ledge" in the inflator nozzle.

Claims 14 and 27 have been amended to address the Examiner's rejections under 35 U.S.C. § 112.

Regarding the Examiner's rejection of claim 1 as being anticipated by Kirchoff et al. '545, Applicants respectfully submit that claim 1 is not anticipated by Kirchoff et al. '545 because the reference does not disclose all of the elements recited in the claim. Tube 34 of the cited reference does *not* disclose "...a plurality of apertures formed in said outer peripheral wall", as recited in claim 1.

Regarding the Examiner's rejections of claim 9 under 35 U.S.C. 102(b) as being anticipated by Kirchoff et al. '545 and also as being anticipated by Ruckdeschel et al. '583, the Examiner's attention is directed to MPEP § 2125, which states in part:

"When the reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value. See *Hockerson-Halberstadt, Inc. v. Avia Group Int'l*, 222 F.3d 951, 956, 55 USPQ2d 1487, 1491 (Fed. Cir. 2000) (The disclosure gave no indication that the drawings were drawn to scale. "[I]t is well established that patent drawings do not define the precise proportions of the elements and may not be relied on to show particular sizes if the specification is completely silent on the issue.")"

The disclosures of both Kirchoff et al. '545 and Ruckdeschel et al. '583 are silent as to the dimensions of the devices disclosed therein, and are also silent as to whether the drawings shown therein are to scale. Thus, the drawings in the references cannot be relied upon to show the precise proportions of the objects depicted therein. In view of this, Applicants submit that the Examiner's rejections of claim 9 under 35 U.S.C. 102(b) as being anticipated by Kirchoff et al. '545 and also as being anticipated by Ruckdeschel et al. '583 are unsupported.

Independent claims 1, 7, 14, 23, 27, and 30 have been amended to clarify the distinctions between the present invention and the cited references. It is submitted that none of the cited references include all of the features recited in the amended independent claims.

Claim 8 has been canceled. Claim 6 has been amended so as to be consistent with amended independent claim 1, from which claim 6 depends. Claims 9 and 13 have been amended so as to depend from amended claim 7. Claims 19 and 20 have been amended so as to be consistent with amended independent claim 14, from which claims 19 and 20 depend. Claim 26 has been amended so as to be consistent with amended independent claim 23, from

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which claim 26 depends. Claim 29 has been amended so as to be consistent with amended independent claim 27, from which claim 29 depends.

In response to the Examiner's rejection of claims 14 and 22 under 35 U.S.C. 103(a) as being unpatentable over Takeuchi, U.S. Patent No. 6,145,873, in view of Ruckdeschel et al. '583, Applicants submit that there is no motivation or suggestion to combine the teachings of the references. Takeuchi '873 does not disclose any details regarding the structure of inflator 26 incorporated into the airbelt device. Thus, there is no basis for comparing inflator 26 of Takeuchi '873 to the device disclosed in Ruckdeschel et al. '583, and no basis for evaluating any possible advantages to be gained from combining the references. Thus, there is no incentive apparent from the references for combining the references. In addition, even if the cited references were to be combined as suggested by the Examiner, no combination of the references would include all of the elements recited in amended claim 14. For these reasons, the Examiner's rejection of claims 14 and 22 under 35 U.S.C. 103(a) as being unpatentable over Takeuchi, U.S. Patent No. 6,145,873, in view of Ruckdeschel et al. '583 should be withdrawn.

In addition, the inflator of the present invention provides important advantages over the devices disclosed in the cited references. The present invention provides an inflator design incorporating a nozzle, wherein the design is simpler, more compact, and easier to manufacture than the devices disclosed in the cited references.

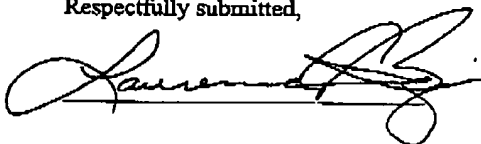
Applicants submit that, as claim 1 is deemed patentable, claims 2-6 are also patentable as they depend from claim 1. Also, as claim 7 is deemed patentable, claims 9-13 are also patentable as they depend from claim 7. Also, as claim 14 is deemed patentable, claims 15-22 are also patentable as they depend from claim 14. Also, as claim 23 is deemed patentable, claims 24-26 are also patentable as they depend from claim 23. Also, as claim 27 is deemed patentable, claims 28-29 are also patentable as they depend from claim 27. Also, as claim 30 is deemed patentable, claims 31-34 are also patentable as they depend from claim 30.

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In view of the above amendments and remarks, the Applicants respectfully submit that all rejections of record have been overcome. The Applicants respectfully requests favorable reconsideration and allowance of the present application.

Respectfully submitted,



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